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FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

**POLICY & PLANNING** BRANCH ROOM 5202

1 6 FEB 1993

IN REPLY REFER TO:

7330-7/1700A3 RECEIVED

FEB 2 3 1993

Honorable Harry Reid United States Senate Washington, D.C. 20510

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

Dear Senator Reid:

This is in reply to your letter of January 28,/1993, in which you inquired on behalf of your constituent, Mr. Harry Rader, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235 / 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Rader is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the <u>Notice</u> are due <u>May 28, 1993</u>, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

Ralp) A. Haller

Chief, Private Radio Bureau

Enclosures: Notice Order Discussion paper

cc:

CNTL NO - 9300384

Chief, PRBureau
Chief, LM&MDivison
Deputy Chief, LM&M Division
Lou Sizemore, Room 857
Docket Files, Room 222
Licensing Div., PRB, c/o Room 5202
P&P Branch Files

DFertig/RShiben:/rb/lm:PR CONGRESS/9300384

## Congressional

DUE: 2-11-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS, AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/03/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE DATE DUE OLA(857)
9300384	02/03/93	01/28/93	02/17/93
TITLE	MEMBERS	NAME	REPLY FOR SIG OF
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**REMARKS:** 

## United States Senate

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WASHINGTON, D.C. 20510

January 28, 1993

Ms. Lou Sizemore Congressional Liaison Federal Communications Commission 1919 M Street, NW Room 808 Washington, D.C. 20554

Dear Ms. Sizemore:

Enclosed is a letter I have received from Mr. Harry Rader.

I would appreciate your reviewing this situation and providing me with answers to my constituent's concern. Please send your reply to the attention of Kim Bengtson.

Thank you for your cooperation and assistance. I look forward to receiving your response soon.

With all best wishes,

Sincerely,

United States Senator

HMR/kjb Enclosure

93 JAN 22 AH 11: 12

Harry C. Rader III 4242 Tarkin Ave.

Las Vegas, Nv. 89120 Las Vegas

Sirs;

It has come to my attention that there is a proposed rulemaking under study. The change NPRM-PR Docket 92-235 will effect part 88 of the code of Federal Regulations and it will also have a direct adverse affect on part 95.

If I may explain my concern, I along with millions of other Americans enjoy the sport of Radio Control. It does not matter if you fly aircraft ,race carsd, power boats clear and accurate frequencies for proper radio operations is paramount to safe control. In 1990 as per FCC regulations I along with many others had to replace most if not all of our properly working radio equipment so we could continue to operate in a safe enviorment. This FCC action cost me about 1200.00 dollars this may not be a lot of money to a lot of people but it meant a lot of extra nights and weekends to afford this equipment. Now this new change is going to make all this equipment worthless! By placing (2) new Mobile users 2.5khz away from our new frequencies with a much higher power output. We will be at their mercy. How can I or anyone else take their child or friends out for a day of togetherness and learning when any one of these people on these frequencies can drive anywhere remotely near to us and send a plane crashing to the ground or injure any person in the area!wathano hope of stopping it. Also please consider the Lossiof time and ymoney. A model aircraft can take from months to years to complete with a tremendous amount of finanicial out lay; this can all be lost in a matter of seconds. Contemplate how you feel if you or aloved one were hurt or killed because someonedwas calling to see what is for dinner or some drug dealer was paged for a drug deal.A great number of organizations use this sport to help guide young people away from drugs and street gangs. By giving kids a place to use their minds and developing useful skills these organizations help start many on the road to careers as pilots, engineers, electronics and any number of related fields. Instead of dead end jobs tha will not help them or this country grow stronger. Instead With no way to ensure safety and ever increasing cost of insurance many if not all of these programs will cease with regretable consequences.

In closing I want to thank you for your time and consideration I dearly hope a safer and saner solution can be found.

Yours Truly

rry C. Rader II

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